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Certificate of Facsimile Transmission

I hereby certify that the attached RCE Transmittal with accompanying Amendment and PTO-2038 to Examiner Dung C. Dinh is being transmitted via facsimile to the U.S. Patent and Trademark Office (571) 273-8300 on May 16, 2006.

Janet Sullivan

PATENT APPLICATION
Do. No. 6071-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ron McCabe
Confirmation No. 8995
Serial No.: 09/438,184 Examiner: D. Dinh
Filed: November 11, 1999 Group Art Unit: 2153
For: FLEXIBLE REMOTE DATA MIRRORING
Date: May 16, 2006

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted:
☐ Consider the amendment(s) reply under 37 C.F.R. § 1.116 previously filed on _____.
☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
☐ Other:
- b. ☒ Enclosed is:



Amendment/Reply
Affidavit(s)/Declaration(s)
Information Disclosure Statement (IDS)
Other:

05/17/2006 TL0111 00000011 131703 09438184
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2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required).

Other:

3. Fees: (Note: The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed)

- ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ☒ \$375 small entity
- ☐ \$790 large entity

(Small entity)

CLAIMS AS AMENDED					
For:	Number After Amendment	Previous Number	Extra	Rate	Additional Fee
Total Claims	20	20*	0	x \$ 25 =	\$0
Independent Claims	2	2**	0	x \$ 100 =	\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0

- ☒ Extension of time fee (37 C.F.R. §§1.136 and 1.17)
- | | | |
|---|---|---------------------------------|
| | small entity | large entity |
| <input type="checkbox"/> Extension of Time - 1 st | <input type="checkbox"/> \$60 | <input type="checkbox"/> \$120 |
| <input checked="" type="checkbox"/> Extension of Time - 2 nd | <input checked="" type="checkbox"/> \$225 | <input type="checkbox"/> \$450 |
| <input type="checkbox"/> Extension of Time - 3 rd | <input type="checkbox"/> \$510 | <input type="checkbox"/> \$1020 |

☐ Suspension of application fee (37 C.F.R. § 1.17(i))--\$130

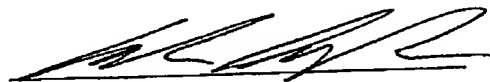
☒ PTO Form 2038 authorizing credit card payment is attached.

☒ Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.



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